

COMMISSION MEETING MINUTES

Indiana Fire Prevention and Building Safety Commission

Government Center South
402 West Washington Street
Indianapolis, Indiana 46204
Conference Room B

March 1, 2011

1. Pursuant to IC 22-12-2-6, the Indiana Fire Prevention and Building Safety Commission's regular monthly meeting was opened by Vice-Chairman Ted Ogle at 9:00 a.m. on March 1, 2011.
 - (a) Commissioners present at the Commission meeting:

Diana M. H. Brenner
Ron Brown
Michael Christoffersen
Todd Hite, representing the Commissioner, Department of Health
John Hawkins
Matt Mitchell
Ted Ogle, Vice-Chairman
 - (b) Commissioners not present at the Commission meeting:

Michael Corey
Kevin Goeden, representing the Commissioner, Department of Labor
David Hannum, Chairman
 - (c) The following departmental and support staff were present during the meeting:

Legal and Code Services:

Mara Snyder, Director, Legal and Code Services
Denise Fitzpatrick, Code Specialist
John Hibner, Code Specialist
John Haines, Code Specialist
Shelly Wakefield, Manager, Code Technical Development
Beth Sutor, Secretary
 - (d) James Schmidt, Deputy Attorney General, and Gary Bippus, Administrative Law Judge, were present.

2. Old Business.

Vice-Chairman Ogle called for any corrections or a motion to approve the minutes of the February 1, 2011 meeting as distributed. A motion to approve the minutes as distributed was made by Commissioner Hawkins and seconded by Commissioner Christoffersen. It was voted upon and carried.

3. Ordinances.

Building Ordinance 2011-02
Whitestown, Indiana

A memo from Shelly Wakefield, Manager of Code Technical Development, introduced the proposed ordinance, and recommended approval. Commissioner Brenner moved to approve, with the second by Commissioner Hawkins. It was voted upon and carried.

4. Variances.

Tabled Variances.

Variance 10-11-12(a)(b) Riley Jones House – 315 E. Charles Street, Muncie, was represented by owner P. Gregory Cross. The request was to not comply with the code-required monitoring of the sprinkler system, and to modify the inspection, testing and maintenance requirements in NFPA 25. The proponent described the difficulties he had experienced with local monitoring companies, and explained the cost of compliance and disruption caused in his office by compliance. Commissioner Hawkins moved to deny both (a) and (b), with the second by Commissioner Brenner. It was voted upon and carried. Variance 11-01-11 Goshen Road Bulk, Ft. Wayne, was represented by Christine Thornhill. Also present was Glenn Howard, SES Environmental, and current owner Saleem Khan. Six tanks are currently in temporary closure status, and the request was to leave them in temporary status for another two years while the site is being upgraded and/or sold. At the end of the two years, the tanks would be pulled, or the business sold as a bulk plant. Following discussion, Commissioner Hawkins moved to approve with the condition that the testing of the tanks be continued during the two year extension. Commissioner Christoffersen made the second. It was voted upon and carried. Variance 11-01-32 The Family Center, Bloomington, was represented by Ed Rensink, RTM Consultants. An existing 205,000 square foot building is under the control of a not-for-profit center, and will be converted to a multi-use facility. The request is to allow the temporary use of a small portion of the building in 2011 for some special events. Heavy barriers will be used to define the areas for use by the events, and all egress and emergency lighting will be functional in the event space. The building has a sprinkler system and fire alarm system. Jim Gerstbauer, Bloomington, spoke in favor of the variance. Commissioner Christoffersen moved to approve with the condition that all exits have exit lights and that the barricade used to define the event space be at least 6 feet tall all the way around the space. Commissioner Mitchell made the second. It was voted upon and carried. Variance 11-01-38(c) Centerstone Supportive Housing Community, Richmond, was represented by Christina Colleston, RTM Consultants. The request was to allow the sidelights of the corridor door to be protected with sprinklers on either side of the glazing on both sides to wet the glass, in lieu of compliant 20 minute glazing. Following discussion, Commissioner Brenner moved to approve, with the second by Commissioner Hite. It was voted upon and carried. Variance 11-01-41(a)(b)(c) Nestle ASRS, Anderson, was represented by Christina Colleston. Variance (a) was to omit the required smoke and heat vents and curtain boards. The vents would affect the maintenance of temperatures in the refrigerated automated storage and retrieval system storage building. The request in (b) was to allow an exit travel distance to exceed the 250 feet allowed by code. The proponent noted this was high-pile storage, and that the sprinkler system had been designed for this storage design. The automated retrieval system will shut down at the activation of the sprinklers to avoid movement of burning pallets. In (c), the building has side aisles with fire access doors and a central pick aisle, but no doors at the back of the building due to the rack system. The request was to allow this condition. They do have the required fire department access road around the building. Following discussion, Commissioner Hawkins moved to approve all three applications, with the second by Commissioner Christoffersen. It was voted upon and carried. Variance 11-01-43(a) and (i) North of South, Indianapolis, was represented by Ralph Gerdes, Ralph Gerdes Consultants. Some of the units will have rooftop bedrooms, though in (a) the actual floor space is only 11% to 26% of the floor space below and in (i) only 7.7% of the floor space below. They are considered, by code, to be an additional story. The request in (a) is to allow this partial

story without compliance as a story. The building is protected by a 13R sprinkler system and interconnected smoke alarm systems. Following discussion, Commissioner Hawkins moved to approve with the condition that a stairway with door be provided for roof access on each building. Commissioner Christoffersen made the second. It was voted upon and carried. In (i), the request was to allow this partial story. With the condition of the stairway with door access to the roof, Commissioner Brenner made the motion to approve, with the second by Commissioner Christoffersen. It was voted upon and carried. Variance 11-02-4 21st Street Seniors II, Indianapolis, was represented by Matt Regets, NRP Contractors. Sixty units have fuel-fired furnace and water heaters installed in a mechanical closet off of the utility room which exits through a bathroom. The issue was that of the interpretation of code concerning make-up air. The combustion air was supplied by a 4" duct extending from the ceiling, and another 4" duct extended down the wall to within 12" of the floor. Both extend up into a ventilated attic, not to the exterior. The door between the laundry room and bathroom is not a louvered door. Following discussion, Commissioner Christoffersen moved to approve, with the second by Commissioner Hawkins. It was voted upon and carried. Variance 11-02-6 Noblesville Senior / Meredith Meadows, Noblesville was represented by Jeff Schoop, NRP Contractors, and Ron Lloyd, RDL Architects. The request was to omit sprinklers from the front porches of the sprinklered, single story units. The complex has 80 units and over 50 percent are occupied, making corrections at this date costly and disruptive for the residents. Lonnie Lagel, Fire and Building Code Enforcement, noted that front porches were often decorated with flammable bales of hay and other holiday decorations which could affect the exiting from the unit. Following discussion, Commissioner Hawkins moved to approve with the condition that signage prohibiting open flames be posted on the front porch of each unit. Commissioner Brenner made the second. It was voted upon and carried. Commissioner Mitchell abstained. Variance 11-02-14 Scottsburg City Hall, Scottsburg, was presented by Bill Reed, Indiana Dept of Transportation, Design Manager, Seymour. The installation of a new ADA compliant curb ramp require steps to the City Hall to be altered, putting them into noncompliance. These steps serve a locked entrance, not available to the general public, for a storage room. Following discussion, Commissioner Christoffersen moved to approve, with the second by Commissioner Hawkins. It was voted upon and carried. Variance 11-02-30 515 E. 14th Street Windows, Bloomington, was now complete. It would have been eligible for the February block vote. Commissioner Christoffersen moved to approve, with the second by Commissioner Brenner. It was voted upon and carried.

5. **Breaking and reconvening.** Vice-Chairman Ogle recessed the Commission at 10:11 a.m. He then reconvened the meeting, calling it back to order at 10:25 a.m.

Regular Variances.

Vice-Chairman Ogle called for any variances to be pulled from the block vote for individual consideration. Commissioner Brown called out 11-03-15, and Commissioner Hawkins abstained from 11-03-41. Commissioner Brenner made the motion to approve the following variances with an "A" or "B" review rating by staff, with the second being made by Commissioner Christoffersen. It was voted upon and carried.

The following variances were approved as submitted:

- (1) 11-03-2(a)(c) Clarion Saxony Medical Center, Fishers
- (2) 11-03-3(a)(c) Holiday Inn Express, Terre Haute
- (3) 11-03-4 Timber Ridge Condo Unit 2362 Windows, Bloomington
- (4) 11-03-5 Lamplight Inn Assisted Living Ft. Wayne, Ft. Wayne
- (5) 11-03-6 576 E. Graham Place Windows, Bloomington
- (6) 11-03-11 Walmart Store #1804, Ft. Wayne
- (7) 11-03-13 Westplex Woods Apartments, Bloomington
- (8) 11-03-16 Dayton Freight, Lowell
- (9) 11-03-17(b) University of Notre Dame Badin Hall Renovation, Notre Dame
- (10) 11-03-20 Boondogglers Restaurant, Zionsville
- (11) 11-03-32 Community Storage Rental Office, Indianapolis
- (12) 11-03-34 Timber Ridge 558 E. Graham Place Windows, Bloomington
- (13) 11-03-35 Ivy Tech Fall Creek Expansion, Indianapolis
- (14) 11-03-36 Bicycle Garage Indy, Indianapolis
- (15) 11-03-41 College Hill Apartments, Paoli

The following variances were heard separately:

- (16) 11-03-1(a)(b) Fervent Prayer Daycare Expansion, Indianapolis

John Bennett, JT Designers, spoke as proponent. The request in (a) was to allow the second floor to have only one means of egress. Because they are a licensed daycare, there will be a required teachers' break room on the second floor. The proponent noted that the teachers could only be in their classrooms or in the break room, not both at the same time, so they wouldn't exceed an occupancy of 50. He also noted their travel distance was 105 feet. The stairway is enclosed and rated. Following discussion, Commissioner Christoffersen moved to deny, with the second by Commissioner Hawkins. It was voted upon and carried. Variance (b) was to omit an accessible means of egress to the second floor during the construction phase. They plan to install a compliant lift from the first to the second floor in approximately 2 years. Following discussion, Commissioner Christoffersen moved to deny, with the second by Commissioner Hawkins. It was voted upon and carried.

- (17) 11-03-2(b) Clarion Saxony Medical Center, Fishers

No proponent was available for questions. Commissioner Brenner moved to table, with the second by Commissioner Hite. It was voted upon and carried.

- (18) 11-03-3(b) Holiday Inn Express, Terre Haute

No proponent was available for questions. Commissioner Christoffersen moved to table, with the second by Commissioner Brenner. It was voted upon and carried.

- (19) 11-03-7 PNC Bank, Indianapolis

Ron Sherman, Stegal, Inc, appeared as proponent. The request was to be allowed to install a security system which directs patrons through a metal detector within a series of doors. The City of Indianapolis cited them in their review for what they believed to be an accessibility issue in the space between the sets of entry doors, and the failure of the exit doors to operate without special knowledge. The proponent explained that the patron was always able to turn around and exit through the door they just entered. Entry was denied only by trying to enter the bank through the exit doors. He also noted that a pushbutton was provided for operation of the entry doors as an alternative to a compliant turning radius. Randy Gulley, Wayne Twp. Fire Department, explained that the exterior doors do not lock behind you, just the interior doors in the vestibule, but that you could always turn around and exit without issue. Following further discussion, Commissioner Hawkins moved to approve if door one has a power-assist pushbutton for accessibility compliance and door two had a latch moved to the other side of the frame. Motion died for lack of second. Commissioner Christoffersen moved to table, requesting correct drawings, correct code cite, and a description of how each door works. Commissioner Brenner made the second. It was voted upon and carried.

- (20) 11-03-8 Proposed 2000 GPM Water Treatment Plant, Morgantown

Rick Battershell, architect, spoke as proponent. The request was that the condition on the CDR to install sprinklers be deleted. He explained that they will store 9000 gallons of sodium hydroxide, an agent used in the water treatment process, in double-walled polyethylene tanks, within an isolated room. This chemical reacts violently when exposed to water, therefore they wish to omit sprinklers. Following discussion, Commissioner Hite moved to approve, with the second by Commissioner Hawkins. It was voted upon and carried with one nay.

- (21) 11-03-9 Miller Workshop/Residence, Shipshewana

No proponent was available for questions. Commissioner Brenner moved to table, with the second by Commissioner Mitchell. It was voted upon and carried.

- (22) 11-03-10 Hidden Creek Golf Club/Clubhouse Renovation, Sellersburg

Mike Seaton, Hidden Creek Management, spoke as proponent. The existing porch on the rear of the building was to be enclosed, requiring the area to be sprinklered. The proponent felt that the overall occupancy of the area would actually be reduced by the enclosure since it would remove some of the tables and chairs. The estimates for installing the sprinkler system were more than 100% of the cost of the entire project. The local fire department suggested the fire hydrant be moved to the end of the drive to allow them access to water. The water company will do this. There are existing smoke detectors. Following discussion, Commissioner Hawkins moved to approve with the condition that additional smoke detectors are installed and tied to the monitored security system, and that the hydrant be moved to the end of the drive. Commissioner Brenner made the second. It was voted upon and carried with one nay.

- (23) 11-03-12 New Facilities for Mount Olive United Methodist Church, Marion

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. The building is in a rural area, and has a lack of water for a sprinkler system that's required by code. The request was to install two sprinkler heads and provide their water with a dedicated well. A letter from the local fire department officials stated they do not oppose the variance. When asked how long it would be before a public water supply would be in the area, Galen Clark, Chairman of the Building Committee, didn't expect it to come at all. Commissioner Brown moved to approve, with the second by Commissioner Christoffersen. It was voted upon and carried.

- (24) 11-03-14(a)(b) Dallara Indy Racing Experience, Speedway

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. Variance (a) was to allow four semi-trailers, used in transporting cars to races, to be parked inside the building for security reasons, without code-required separation. The transports will run only while pulling into and pulling out of the building. The sprinkler system will be upgraded to an ESFR system. Randy Gulley, Wayne Twp. Fire Department, stated he had talked to the Speedway Fire Chief who was unable to attend, and had been told that he had no objections to the variance. Variance (b) was to omit separation walls. Commissioner Christoffersen moved to approve both variances, with the second by Commissioner Mitchell. It was voted upon and carried.

- (25) 11-03-15 Camp Red Cedar Cabins, Ft. Wayne

This variance had been called out of the block vote by Commissioner Brown. Ed Rensink, RTM Consultants, spoke as proponent. This is a seasonal camping cabin at a youth camp. Both sides of the building have a direct exit to the exterior, and photoelectric/ionization smoke detectors are provided. When asked if a 13D system had been considered, the proponent explained that, due to water availability, it would require a tank and pump. These would need to be drained at the end of season since the buildings are not heated. A study showing the failure of children to promptly and effectively react to smoke alarms when roused from sleep was provided. Christina Collester, RTM Consultants, noted that the alarms would be set at a higher decibel level, and that an adult member of staff was to sleep in each end of the cabin to assist if needed. It was also noted that the bathroom lacked a window. Commissioner Hawkins moved to approve with the condition that the windows complied with egress, and that an egress window be installed in the bathroom. Commissioner Brenner made the second. It was voted upon and carried, with one nay vote.

- (26) 11-03-17(a) University of Notre Dame Badin Hall Renovation, Notre Dame

Ed Rensink, RTM Consultants, spoke as proponent. Nine offices on the first floor of the building are to be converted to dorm rooms. The request was omit the code-required door closers. The building is fully sprinklered, and each room will have a single-station smoke detector. After discussion, Commissioner Mitchell moved to approve, with the second by Commissioner Hite. It was voted upon and carried.

- (27) 11-03-18(a)(b) Wishard Hospital Replacement Facility, Indianapolis

Terry Schultz, Code Consultants Inc, spoke as proponent. The request in (a) was to allow specific cross corridor doors used as smoke doors to swing in the direction of egress, thereby restricting access to certain areas such as the nursery, and labor and delivery. Following discussion, Commissioner Brenner moved to approve the doors identified in the application attachment, with the second by Commissioner Christoffersen. It was voted upon and carried. Variance (b) had been withdrawn.

- (28) 11-03-19 Chicago's Pizza, Greenwood

Tim Callas, J & T Consulting, spoke as proponent. The restaurant will be going into an existing tenant space, constructed in 1989, and will be over area. The request is to allow them to sprinkle the individual tenant space and to install a two-hour fire barrier separation. Rodney Johnson, Greenwood Fire Department, did not object to the variance. Following discussion, Commissioner Christoffersen moved to approve, with the second by Commissioner Brenner. It was voted upon and carried.

- (29) 11-03-21 Woodcrest Nursing Center Kitchen Grill, Decatur

Jim Field, Moake Park Group Inc, spoke as proponent. Due to the arrangement of the existing kitchen, the pull-station must be mounted within five feet of the grill instead of the code-required ten foot minimum. This is within the path of travel, and keeps staff from having to retrace steps to pull the alarm in the event of fire. After discussion, Commissioner Hawkins moved to approve, with the second by Commissioner Christoffersen. It was voted upon and carried.

- (30) 11-03-22(a)(b) Garrett High School, Garrett

Ed Rensink, RTM Consultants, spoke as proponent. The existing high school portion of the building is to be demolished, and a connector constructed between the new high school and the existing building. The request is to allow the construction of a sprinklered connector with sprinkler curtains protecting all openings into the existing building, and the installation of a 4-hour fire wall between the connector and new school building, in lieu of the required 4-hour wall between the addition and the existing building. Following discussion, Commissioner Hawkins moved to approve, with the second by Commissioner Mitchell. It was voted upon and carried. Variance (b) was a request to allow temporary egress during three phases of construction. Phase 1 will be needed until the end of the 2011/2012 school year. Phase 2 will be needed until December 2012. Phase 3 will be needed until January 2013. Striping will be provided on the floor of the classroom used as egress under Phase 2. Following a lengthy discussion, Commissioner Mitchell moved to approve with the condition that door 25 be used as egress with a construction fence and gravel walkway by August. Commissioner Hawkins made the second. It was voted upon and carried.

(31) 11-03-42 Kohl's, Marion

Scott Uher, Richard Bowen & Associates, spoke as proponent. An application had been submitted to Plan Review using ComCheck, utilizing the trade-off method to demonstrate compliance with energy requirement. Indiana code does not allow this. The request was to allow the use of ASHRAA Section 5.6 to prove compliance with the energy code requirements. Following a lengthy discussion, Commissioner Christoffersen moved no variance was required because the ComCheck report allowed the use of tradeoffs with the reports calculations. The second was made by Commissioner Hawkins. It was voted upon and carried.

6. **Breaking and reconvening.** Vice-Chairman Ogle recessed the Commission at 12:21 p.m. for lunch. He then reconvened the meeting, calling it back to order at 1:16 p.m.

(32) 11-03-40 Monster Energy Supercross, Indianapolis

Robert Smith, Dynamic Effects & Fireworks Company, spoke as proponent. The request was to be allowed to use four twenty-pound cylinders of compressed LP gas during an indoor event in Lucas Oil Stadium in Indianapolis. The gas is used to power special effects, and is used in equipment specially designed for this use with multiple safety checks in place. State Fire Marshal James Greeson appeared and spoke against the use of propane indoors, noting its use is tightly regulated by our codes. Fred Pervine, Indianapolis Fire Chief, had also objected to the variance. Following discussion, Commissioner Hawkins moved to deny, with the second by Commissioner Mitchell. It was voted upon and carried.

(33) 11-03-23 Lucas Oil Products, Corydon

Arnold Johnson, Southern Kentucky Maintenance, spoke as proponent. Code allows the use of a 10,000 gallon tank. To allow room for delivery of full loads, the request was to allow the use of a 12,000 gallon tank for diesel fuel. This is for carded fleet trucks, and not public use. Noting that this type of variance had been discussed many times in the past, Commissioner Christoffersen moved to approve. It was seconded by Commissioner Brenner, voted upon, and carried.

(34) 11-03-24 Jasper County Hospital Addition and Remodel, Rensselaer

Ed Rensink, RTM Consultants, spoke as proponent. He noted that this was a "re-do" of a variance approved last year which allowed the removal of existing occupant use hose cabinets. The entire first floor of the building was to be sprinklered, but the radiology department would have to be dismantled for the work to be done. Being unable to function without a radiology department, they wished to omit sprinklering this area. Commissioner Brenner moved to approve, with the second by Commissioner Brown. It was voted upon and carried.

(35) 11-03-25 Earl Chupp New Building, Etna Green

Earl Chupp, owner, spoke as proponent. The request was to omit sprinklers. The quote given by Kroft Fire Protection to put in a well, sprinklers and a pump was equal to the cost of the building. He will be installing a dust collection system on each of his machines, and air analysis equipment. Following discussion, Commissioner Christoffersen moved to approve with the condition that an NFPA 664 compliant dust collection system be installed. The second was made by Commissioner Hawkins. It was voted upon and carried with one nay.

- (36) 11-03-26 Indianapolis Zoo Orangutan Exhibit, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. He requested the application be tabled. Commissioner Mitchell moved to table, with the second by Commissioner Hite. It was voted upon and carried.

- (37) 11-03-27 GSA, Indianapolis

Christina Collester, RTM Consultants, spoke as proponent. The Secret Service will be moving out of the Capehart Building while it is being renovated, and into temporary quarters. They will have two interview rooms which will be fitted with magnetic locks. These locks are accessed by key cards, and will fail secure. Those with key cards will also have a key to over-ride the locks. The request is to allow the use of the magnetic locks on doors 49, 55, 57, 59 and 61 as required by their agency-specific security policies. Following discussion, Commissioner Brown moved to approve, with the second by Commissioner Brenner. It was voted upon and carried.

- (38) 11-03-28 Distribution Center, Indianapolis

Christina Collester, RTM Consultants, spoke as proponent. A single tenant warehouse owner no longer needed all their space. They have rented out portions to two other tenants, and have created exits and paths of travel for each. The request was to allow the common corridor to exceed the permitted path of travel length in the fully-sprinklered building. Following a lengthy discussion, the proponent requested that the application be tabled so she could research options. Commissioner Brown made the motion to table, with the second by Commissioner Brenner. It was voted upon and carried.

- (39) 11-03-29 Mo's Diner and Event Club, Sellersburg

Nathan Grimes, Renaissance Design Build, spoke as proponent. During the pre-opening inspection, it had been found that two doors did not meet the minimum height requirements. This is an existing building, with no change of occupancy. The owner has installed warning signage and extra lighting at each door to call patrons' attention to the condition. The owner had received an estimate of \$20,000 to fully correct each door, which is not possible at this time. Following discussion, Commissioner Brenner moved to approve, with the second by Commissioner Hawkins. It was voted upon and carried.

- (40) 11-03-30 Watercolors Block 12, McCordsville

Melissa Tupper, RTM Consultants, spoke as proponent. The 4 unit, 1 story building is being constructed within an existing complex, designed under the 2003 Indiana Building Code. There are 2-hour fire walls between every two units and a 2-hour fire barrier between each unit not separated by a fire wall. The request was to omit sprinklers. Following discussion, Commissioner Brown moved to approve with the condition that a 13-D sprinkler system be installed. Commissioner Hawkins made the second. It was voted upon and carried.

- (41) 11-03-31 Crown Point Community Library, Crown Point

Melissa Tupper, RTM Consultants, spoke as proponent. The third floor's second exit discharges to the second floor instead of the level of exit discharge. The third floor of the sprinklered building is used by employees only, has one enclosed stair discharging to the exterior, and has an 89 foot travel distance. The library wishes to leave the central stair unenclosed. Following discussion, Commissioner Brenner moved to deny, with the second by Commissioner Hawkins. It was voted upon and carried.

- (42) 11-03-33 Sam's Club #6313, Ft. Wayne

The application, incomplete at the beginning of the meeting, now was complete. It would have been eligible for the block vote. Commissioner Christoffersen moved to approve, with the second by Commissioner Brenner. It was voted upon and carried.

- (43) 11-03-37 Guadalajara Grill, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. The restaurant is within a multi-tenant building, and has three exterior exits with a maximum travel distance of 65 feet. The previous occupant had also been a restaurant, and no additions had been made. Indianapolis had cited them for not having the installation of a sprinkler system. Following discussion, Commissioner Brenner moved that no variance was required, with the second by Commissioner Hawkins. It was voted upon and carried.

- (44) 11-03-38 Adams Central Community School, Monroe

Ed Rensink, RTM Consultants, spoke as proponent. The request was to allow the use of temporary classrooms constructed in the wrestling gym with partial-height walls made of wood stud and plywood construction. These will create a non-rated egress corridor which does not comply with code. The temporary classrooms will be needed the last two months of the current 2010-2011 school year, and the first two months of the 2011-2012 school year. The addition will be sprinklered. Following discussion, Commissioner Christoffersen moved to approve, with the second by Commissioner Hawkins. It was voted upon and carried, with one nay vote.

- (45) 11-03-37 Guadalajara Grill, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. He requested that the Commission reconsider its vote. He explained that Plan Review wants information on the previous restaurant, and placed their review on hold. They are unable to provide the exact information requested, only an approximation, and are concerned that may affect the outcome. The seating is mostly fixed, with a few tables and chairs, and the proponent feels the occupancy will be nearly the same as the previous restaurant. Following discussion, Commissioner Hawkins moved to rescind the previous motion. Commissioner Christoffersen made the second. It was voted upon and carried with one nay. Commissioner Christoffersen then moved to approve with the condition of a 200 occupant seating limit. Commissioner Hawkins made the second. It was voted upon and carried, with two nay votes.

- (46) 11-03-39 Steel Dynamics Inc. Coil Storage Addition, Jeffersonville

Tim Callas, J & T Consulting, spoke as proponent. An S2 building used for the storage of steel coils does not have code-compliant placement of fire department access doors. Following discussion, Commissioner Hawkins moved to approve, with the second by Commissioner Brenner. It was voted upon and carried.

7. **New Business – General.**

Discussion and Possible Commission Action – Nonfinal Orders of Dismissal

Walter Foltz Project 348572
Administrative Cause No. 11-01
Denial of Application
Nonfinal Order of Dismissal

Moster Mortuary
Administrative Cause No. 10-26
Order – Division of Elevator Safety
Nonfinal Order of Dismissal

Commissioner Brenner moved to affirm the Nonfinal Orders of Dismissal. Commissioner Hite made the second. It was voted upon and carried.

Discussion and Possible Commission Action – Appeals

Evansville Auditorium & Convention Center
Order – Fire and Building Code Enforcement

Victory Theater
Order – Fire and Building Code Enforcement

Park Place Apartment
Order – Elevator Safety

Commissioner Brenner moved to grant, with the second by Commissioner Christoffersen. It was voted upon and carried.

8. Discussion and possible adoption of LSA Doc. #09-789 (Swimming Pool Code)

Vice-Chairman Ogle called for any discussion. There being none, Commissioner Hawkins moved to approve LSA Doc. #09-789 as published in the Indiana Register on November 24, 2010 as DIN: 20101124-IR-675090789PRA, as amended by the changes contained in the recommended changed (revised) memo from John Hibner dated January 19, 2011, except for items numbers 19 and 35, as amended by the changes contained in the memo from John Hibner dated January 19, 2011, containing recommended changes from public comments, and as further amended by the changes contained in the memo from John Hibner dated February 28, 2011. Commissioner Hite made the second. It was voted upon and passed unanimously.

9. Comments

Mara Snyder, Director, Legal and Code Services had no further comments, and wished everyone a safe journey home.

10. **Adjournment.**

Vice-Chairman Ogle called for further business, and upon hearing none, he adjourned the meeting at 2:23 p.m.

APPROVED _____
Ted Ogle, Vice- Chairman